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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/5/2024

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MEMORANDUM ENDORSED

January 5, 2024

Via ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

Re: **Northwest Biotherapeutics Inc. v. Canaccord Genuity LLC, et al.,**
No. 1:22-cv-10185

Dear Judge Woods:

We represent Plaintiff Northwest Biotherapeutics, Inc. in the above-captioned action and write in response to Defendant Citadel Securities LLC's letter (ECF 138) requesting a 30-day extension of the deadline for Defendants to object to the Report & Recommendation ("R&R") issued by Magistrate Judge Stein (ECF 137).

Plaintiff does not believe an extension is necessary or warranted, as Defendants have long been on notice of the exact issues covered by the R&R. The Amended Complaint, to which Defendants' motion to dismiss and the R&R is directed, was filed nearly nine months ago on April 10, 2023 (ECF 95). Defendants filed their motion to dismiss three months later on July 12, 2023 (ECF 114, 115), Plaintiff's opposition was filed on August 25, 2023 (ECF 123), and Defendants replied on September 27, 2023 (ECF 124). An extensive oral argument was held before Magistrate Judge Stein on November 14, 2023.

Defendants claim that an extension is needed for them to coordinate among themselves, but Defendants' army of lawyers – seven firms and twenty-nine counsel of record – are more than sufficiently equipped to timely respond to the same issues in the R&R that they briefed and argued months ago.

While Plaintiff opposes an extension of the current briefing schedule, to the extent the Court grants such an extension, Plaintiff respectfully requests that any extension of time to file objections to the R&R apply to all parties, not just Defendants. The alignment of all parties' deadlines to file objections will ensure that those objections, and any oppositions thereto, are coordinated on a single schedule.

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Respectfully submitted,

By: /s/ Laura H. Posner
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Counsel for Plaintiff

cc: Counsel of record (via ECF)

The Court has reviewed Defendants' letter at Dkt. No. 138 and Plaintiff's response at Dkt. No. 139. Defendants' application, Dkt. No. 138, is denied. Any objections to Judge Stein's Report and Recommendation, Dkt. No. 137, are due no later than January 12, 2024.

SO ORDERED.

Dated: January 5, 2024
New York, New York



GREGORY H. WOODS
United States District Judge